

APPENDIX AA:

Illegal Dumping Information



Keweenaw Bay Indian Community
Natural Resources Department



**Summary of Open Dump Cleanup on the Keweenaw Bay Indian Community
L'Anse Reservation**

Administrative Report

Date: October 2007



Prepared By:

KBIC Natural Resources Department

Director: Todd Warner

Environmental Specialist: Char Beesley

Environmental Response Program Specialist: Katherine Kruse

Brownfield Assessment Coordinator: Jennifer Romstad

Cleanup Contractor:

Tribal Construction Company, Inc.

Manager: Michael LaFernier, Sr.

1.0 Executive Summary

The Keweenaw Bay Indian Community (KBIC) takes great pride in stewardship of our natural resources. A strong cultural relationship between the Ojibwa people and the land has resulted in spiritual, medicinal, hunting, gathering, and fishing practices which are especially susceptible to activities that adversely impact the environment. A 2003 survey of Tribal members indicates that open dumping is viewed as a major problem by those residing on the Reservation. Peninsula Sanitation maintains the nearest designated landfill, the K&W Landfill, located in Greenland, MI, approximately 30 miles west of the Reservation. The nearest transfer station, operated by Waste Management, Inc., is located approximately 30 miles to the north in Houghton, MI. Curbside service is not available for the Reservation, except for those residing within the Villages of L'Anse and Baraga. Residents outside the Villages of L'Anse and Baraga must haul their own solid waste to designated dumpster areas, and pay a fee per bag for disposal.

In 2005, the KBIC Solid Waste Management Plan (SWMP) was reviewed and approved by the KBIC Tribal Council. The SWMP was developed in 2004 utilizing funding provided by the EPA Tribal Solid Waste Management Program, which provides guidance for solid waste management decision-making and practices for KBIC as well as makes recommendations regarding alternatives to disposal. The SWMP identified that improvements in solid waste management practices are needed in rural areas, where a lack of service has resulted in illegal dumping.

Open dumps are considered improperly disposed solid waste material found any place aside from a sanitary landfill or facility designed for disposal of solid or hazardous waste. Open dumps typically lack proper controls, such as regular application of cover, controlled access to the site, and other environmental controls. Materials present in open dumps often pose a threat to human health and the environment. For example, improperly disposed-of automobile fluids, household chemicals, and harmful chemicals from large appliances, can contaminate the soil and groundwater, as well as present explosive or direct contact exposure hazards. Open dump sites also serve as vectors for disease-carrying insects and rodents. A considerable amount of open dumping occurs in rural areas, along back roads, and in areas with little or no lighting. Dumping activity is found to occur along roadsides, streams, and in open areas. Open dump sites devalue property and are costly to clean up. According to the EPA's Office of Solid Waste and Emergency Response,

“the Indian Health Service (IHS) reported about 1,100 open dump sites on Indian lands, with 142 considered “high threat” according to a 1998 report to Congress. This number does not take into consideration the open dumps in Indian Country that have not yet officially been counted. If left

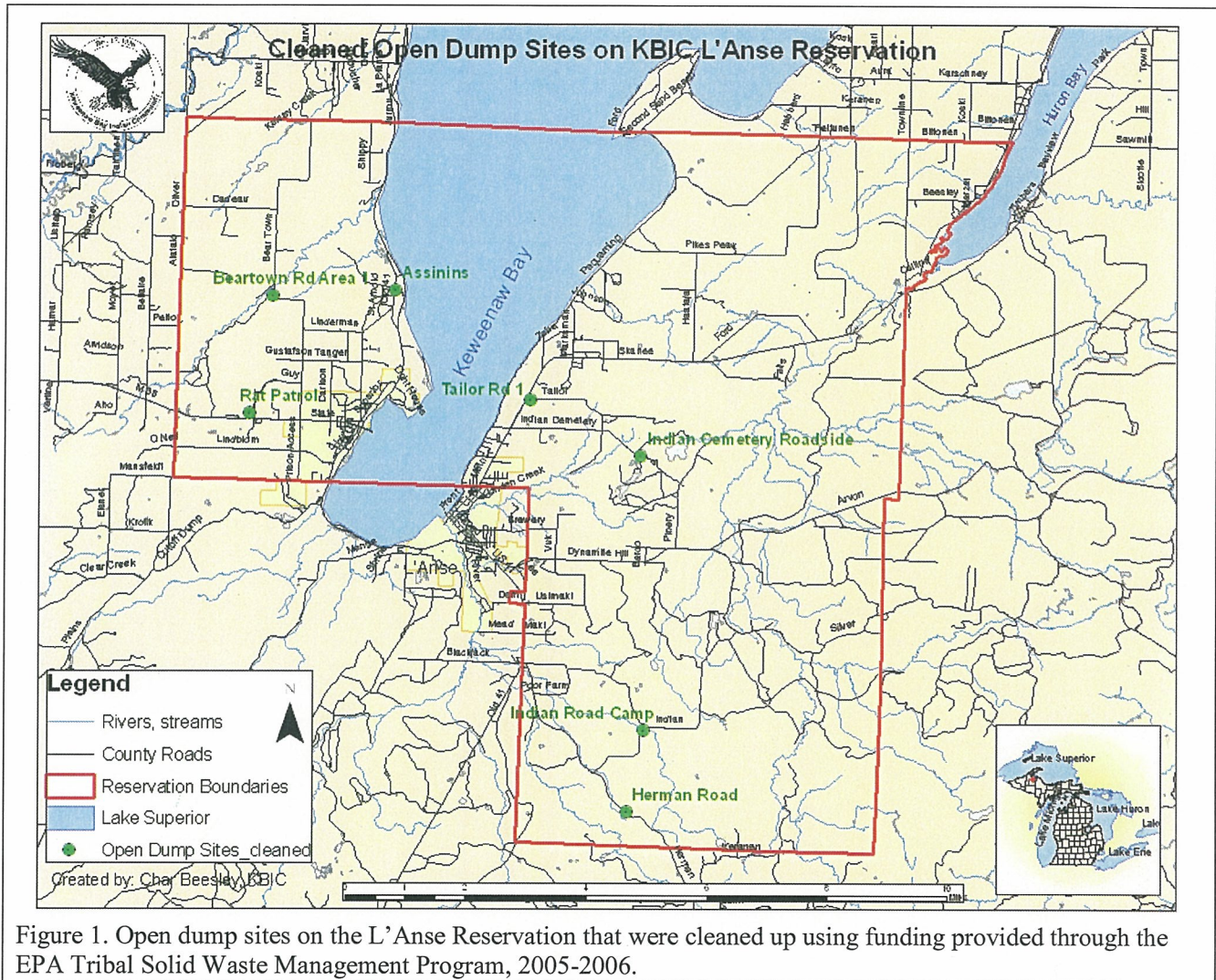
unchecked, the sites could cause health problems for Native Americans living near these pollution sources. They also pose risks to the environment itself. To clean up or upgrade all the sites, IHS estimates it could cost \$126 million.” (Environmental Protection Agency. May 2003. *Open Dump Cleanup Project Helps Tribes Fight Waste*. Retrieved July 10, 2007, from www.epa.gov/epaoswer/non-hw/tribal/pdftxt/opendump.pdf)

Open dumping is a problem for the KBIC and surrounding area. The Keweenaw Bay Indian Community Natural Resources Department (KBICNRD) has identified open dumps sites ranging in size from large areas with historical use and community-scale dumping (such as the Tailor Road Dump Site), to small scattered sites (such as the Vuk Road Dump Site). In 2004, KBIC was awarded funds from the National Interagency Solid Waste Workgroup’s Tribal Solid Waste Management Program (formerly the Open Dump Cleanup Program) in the amount of \$35,000. These funds were provided to KBIC through the US Environmental Protection Agency (EPA) Indian Environmental – KBIC -General Assistance Program (GAP) Cooperative Agreement. In the proposal, the KBICNRD identified open dump sites of priority and/or concern on the L’Anse Reservation and were classified as either Open Dump Priority Areas or Small Active Dump Areas.

KBICNRD staff conducted preliminary assessments to characterize each site, by assessing the size and type of materials present. KBICNRD contracted Tribal Construction Company, Inc. to perform cleanup activities. Preliminary site visits were conducted with Tribal Construction Company, Inc. in the fall of 2005 and again in the spring of 2006 to identify the sites to be cleaned up. Cleanup of the sites began in the fall of 2005, and continued through late summer of 2006, at the Assinins, Beartown Road (#1), Herman Road, Indian Cemetery Road, Indian Road Camp, Rat Patrol, and Tailor Road (#1) open dump sites. Cleanup work included demolition of any existing structures on the site, collection of waste and loading into a dump truck by front-end loader, and hauling the waste to the K & W Landfill, operated by Waste Management, Inc., in Ontonagon, MI. After cleanup was complete, KBICNRD staff conducted post-cleanup visits at the sites to assess the cleanup, and to identify any new or active dumping. Follow-up visits were conducted in September 2006 and April through May 2007. Preventative measures taken included berming or gating the sites after cleanup, as well as patrol of the areas by KBIC Police Department and Conservation Officers. Costs incurred by the contractor for cleanup included labor wages, use of machinery (front-end loader and dump truck), and landfill charges for disposal of waste.

2.0 Open Dump Cleanup Sites

A total of seven open dump sites on the L'Anse Reservation were selected for cleanup. These sites include the Assinins, Beartown Road Area (#1), Herman Road, Indian Cemetery Roadside, Indian Road Camp, Rat Patrol, and Tailor Road (#1) sites (Figure 1). The sites are discussed below, in Sections 2.1 through 2.7.



2.1 Assinins

Site Location and Information

SW ¼, SE ¼, Section 15, T51N, R33W, Baraga Township, Baraga County, Michigan
(46.77320662, -88.38894733)

The site is located on Tribally-owned land near the baseball field along Assinins Road, in the community known as Assinins, north of Baraga. Most of the waste included discarded scrap tires, as well as some construction and demolition debris, and scrap metal (See Photo 2.1.1.).

Cleanup

Cleanup was conducted at this site on July 18 and July 19, 2006. The clean-up contractor removed and disposed of approximately 50 scrap tires, as well as approximately 3 tons of waste and scrap metal.

Post-Cleanup

A follow up site visit was conducted on April 26, 2007, and concluded that cleanup at the site was complete (See Photo 2.1.2.). The former KBIC Tribal Center building site, which is located west across the street from the Assinins open dump site, still remains.



Photo 2.1.1. Assinins open dump site, before



Photo 2.1.2. Assinins open dump site, after cleanup

2.2 Beartown Road

Site Location and Information

SE ¼, SW ¼, Section 17, T51N, R33W, Baraga Township, Baraga County, Michigan
(46.80928225, -88.51965792)

This open dump was located along Beartown Road, near the crossing of Little Carp Creek. The site is one of multiple dumping areas along the unpaved Beartown Road, collectively known as the Beartown Road Area dump sites. This site contained the largest concentration of waste in a small clearing along the west side of Beartown Road. An unimproved dirt road provides access to this area and extends beyond the dump. Waste present at this site included white goods, automobile parts, and household waste (See Photo 2.2.1.). The other Beartown Road Area dump sites are located north, including a medium sized historic dump near the Kelsey Creek crossing. Other smaller historic dumps are present on both sides of the roadside and contain old glass bottles, tin cans, and metal containers.

Cleanup Activities

Cleanup was conducted on July 18, 19, and 25, 2006, and the dirt access road was bermed. Approximately 5.15 tons of waste was removed by the contractor and hauled away for proper disposal.

Post Cleanup

A follow-up visit was conducted on April 24, 2007 and concluded that while most of the waste was removed (See Photo 2.2.2.), some scattered materials along near the Little Carp Creek streambed still remain. A newly identified dump site across from the main area, along the east side of Beartown Road, along Little Carp Creek was also noted during the follow-up visit. Waste identified in this area included white goods, automotive fluid containers, household waste, and discarded animal carcasses (See Photo 2.2.3.).



Photo 2.2.1. Dump site along Beartown Road before cleanup



Photo2.2.2. Dump site after cleanup



Photo 2.2.3. One of multiple existing dump sites along Beartown Road

2.3 Herman Road

Site Location and Information

SE ¼, NE ¼, Section 35, T50N, R33W, L'Anse Township, Baraga County, Michigan
(46.68737861, -88.38990287)

This open dump was located on Tribal-owned, lease land along Herman Road. The site contained an abandoned mobile home trailer, which was significantly deteriorated and damaged. The waste included construction and demolition waste, white goods, and household waste (See Photo 2.3.1).

Cleanup Activities

Demolition and cleanup began on August 16, 2006. Approximately 18 tons of waste was removed on August 28 and 29, 2006.

Post Cleanup

A follow-up site visit was conducted on May 29, 2007. All waste has been removed from the site, except for small debris visible amongst the soil (See Photos 2.3.2.). The piping for water and sewer facilities is still present.



Photo 2.3.1. Abandoned house trailer



Photo 2.3.2. Trailer site after cleanup

2.4 Indian Cemetery

Site Location and Information

SW ¼, NE ¼, Section 32, T51N, R32W, L'Anse Township, Baraga County, Michigan
(46.77320662, -88.38894733)

This open dump was located along Indian Cemetery Road, north of L'Anse, near the Indian Cemetery. The waste was scattered along the roadside for approximately 1/8 mile. The material present at this site included household waste and white goods (See Photo 2.4.1.).

Cleanup

Cleanup was conducted on July 12 and July 25, 2006. Approximately 2.5 tons of waste was removed from this site, and hauled for disposal.

Post Cleanup

A follow up site visit was conducted on May 1, 2007, and concluded that cleanup is complete (See Photo 2.4.2.). However, several other open dump sites exist within 2 miles of the site.



Photo 2.4.1. Scattered waste along the Indian Cemetery roadside



Photo 2.4.2. Roadside after cleanup

2.5 Indian Road Camp

Site Location and Information

NW ¼, NW ¼, Section 25, T50N, R33W, Township, Baraga County, Michigan
(46.70734758, -88.38478806)

This open dump was located near a seasonal camp, on Tribal- owned, lease property along Indian Road. The materials present included white goods, construction and demolition waste, household hazardous waste, and household waste (See Photo 2.5.1.).

Cleanup Activities

Cleanup activities were conducted from August 22 through August 31, 2006. Approximately 7 tons of waste was removed.

Post-Cleanup

A follow-up site visit was conducted on May 30, 2007. All waste has been removed. Some smaller debris is present in the soil (See Photos 2.5.2.).



Photo 2.5.1. Indian Road dump site



Photo 2.5.2. Dump site after cleanup

2.6 Rat Patrol

Site Location and Information

SW ¼, SW ¼, Section 29, Baraga Township, Baraga County, Michigan
(46.78072602, -88.52639076)

This dump was located near the Tribally-owned sand pit, near the Ojibwa Industrial Park, north of Highway M-38. The material present included household trash, hazardous waste, white goods (appliances), and solid waste such as cardboard boxes, books, magazines, mattresses (See Photo 2.6.1.).

Cleanup Activities

Approximately 150 tons of waste was removed during cleanup activities conducted in August 2006.

Post Cleanup Activities

Follow-up visits conducted at this site have concluded that all illegally disposed of material has been removed. The entrance along Highway M-38 has been gated and is locked.



Photo 2.6.1. Illegally dumped material at the Rat Patrol site



Photo 2.6.2 Rat Patrol open dump site after cleanup

2.7 Tailor Road

Site Location and Information

NE¼ SE¼, Section 25 T51N R33W, L'Anse Twp., Baraga County, MI.
(46.78589992, -88.42811664)

This open dump was located within a large cleared area of Tribal trust-allotted land along Tailor Road, north of L'Anse, within the L'Anse Reservation. The area is accessible by two unimproved dirt roads along Tailor Road. Several dirt roads transect the property. The site was identified by KBIC as a priority area due to the large quantities of material disposed of there, which included household waste, heavy equipment, automobiles, boats, discarded tires, and automotive parts (See Photo 27.1.). Automobiles, household items, and discarded tires have been historically dumped at the site. Along one of the dirt roads south of this site, is a smaller area of open dumping (Tailor Road #2). This site was also accessible off of Skanee Road.

Cleanup Activities

The cleanup contractor began cleanup at this site on June 19 and continued through July 25, 2006. Approximately 56.1 tons of waste was removed from the large area, and was hauled to Waste Management for disposal.

Follow-up visits

Follow-up visits were conducted in October 2006 and April 2007. The follow-up visits concluded that while the most significant waste has been removed from the site, smaller waste and debris still remains south of the site and scattered along the dirt access roads (See Photos 2.7.2.). There is also evidence of soil staining and areas of sparse vegetation. The two dirt access roads off Tailor Road, as well as Skanee Road have been bermed and posted with 'No Dumping' signs. Waste present at the smaller site (Tailor Road #2) includes demolition debris, white goods, tires, gasoline cans, and drums (See Photo 2.6.3.).



Photo 2.7.1. Tailor Rd #1 dump site before cleanup



Photo 2.7.2. Main dump area after cleanup



Photo 2.7.3. Smaller dump area (Tailor Rd #2) south of Tailor Rd #1 dump site.

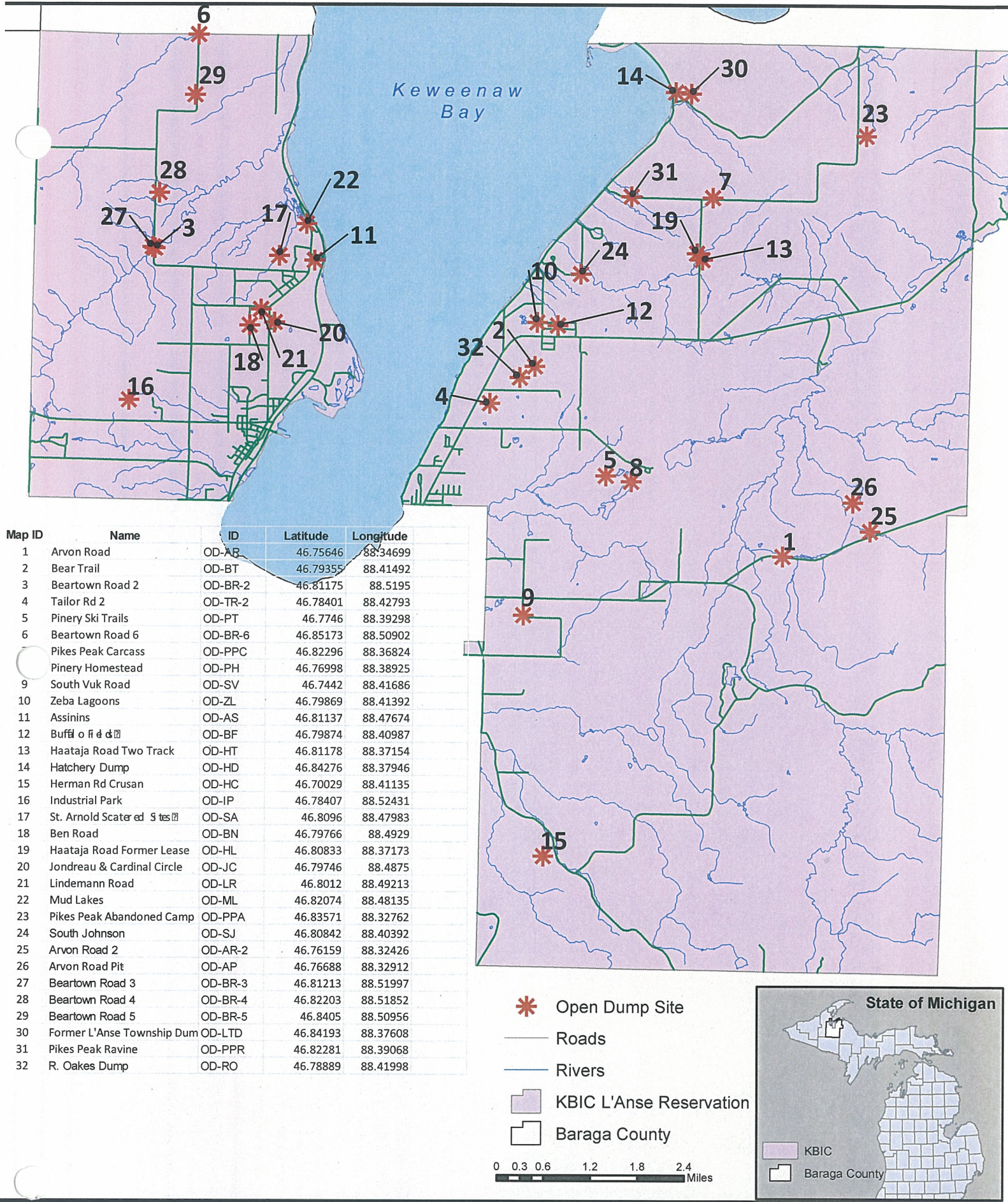
3.0 Summary and Conclusions

In summary, a total of 241 tons of illegally dumped waste was removed from the seven open dump sites on the L'Anse Reservation. The cleanup activities have resulted in a reduced threat to human health and the environment. However, other open dump sites still exist on the L'Anse Reservation. Cleanup of these areas has not yet been possible due to lack of resources. Open dump sites continue to be discovered, sometimes in close proximity to a recently closed or cleaned site. The practice of open dumping continues to be a problem, most likely due to the lack of viable disposal options for the L'Anse Reservation and Baraga County, especially in outlying rural areas, as well as lack of awareness of the potential negative impact to human health and the environment that open dumping creates.

Works Cited

Environmental Protection Agency. May 2003. *Open Dump Cleanup Project Helps Tribes Fight Waste*. Retrieved July 10, 2007, from www.epa.gov/epaoswer/non-hw/tribal/pdftxt/opendump.pdf)

Environmental Protection Agency. November 2003. *Tribal Decision-maker's Guide to Solid Waste Management*. EPA530-R-03-013.



Keweenaw Bay Indian Community Open Dump Inventory

